

AO 91 (Rev 8/01) Criminal Complaint

United States District Court

SOUTHERN

DISTRICT OF
MCALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA
V.United States District Court
Southern District of Texas
FILED

CRIMINAL COMPLAINT

Luis Enrique Moctezuma-Acosta

FEB 15 2023

Case Number:

M-23-0301-M

IAE
Mexico

YOB: 1987 Nathan Ochsner, Clerk

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

On or about February 14, 2023 in Hidalgo County, inthe Southern District of Texas

(Track Statutory Language of Offense)

the Defendant being then and there an alien who had previously been deported from the United States to Mexico in pursuance of law, and thereafter was found near Mission, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the Defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Luis Enrique Moctezuma-Acosta was encountered by Border Patrol Agents near Mission, Texas on February 14, 2023. The investigating agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on November 1, 2021, near Hidalgo, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States on March 17, 2020, through Laredo, Texas. Prior to Deportation/Exclusion, the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security.

On December 19, 2017, the Defendant was convicted of 8 USC 1326, Illegal Re-Entry and sentenced to twelve (12) months confinement.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

Complaint authorized by AUSA E. Flores

Submitted by reliable electronic means, sworn to and attested
telephonically per Fed. R. Cr.P.4.1, and probable cause found on:February 15, 2023 6:57 PM

Juan F. Alanis, U.S. Magistrate Judge
Name and Title of Judicial Officer

/s/ Juan A. Garcia

Signature of Complainant

Juan A. Garcia

Border Patrol Agent

Signature of Judicial Officer